

## **REMARKS**

After entry of this amendment, claims 1, 4-7 and 13-19 are pending. Claims 3 and 8-12 are withdrawn. Claims 14-16 were added by the preliminary amendment filed with the application on March 15, 2002. New claims 17-19 are added by this amendment.

Claims 6 and 13 have been amended to recite a method or kit for a nucleic acid which consists of at least 50 nucleotide residues of a sequence that is at least 80% identical when aligned with a sequence selected from: SEQ ID NO: 1, SEQ ID NO: 2, SEQ ID NO: 3, SEQ ID NO: 4, SEQ ID NO: 5, SEQ ID NO: 6, SEQ ID NO: 7, SEQ ID NO: 8, SEQ ID NO: 9 or SEQ ID NO: 27 conveniently labeled to be used as a hybridization probe. Support is in the specification on page 3, first paragraph, and claim 1 as filed.

Claim 17 has been added to recite a method according to claim 6 wherein said nucleic acid consists of at least 100 nucleotide residues of a sequence that is at least 85% identical when aligned with a sequence selected from: SEQ ID NO: 1, SEQ ID NO: 2, SEQ ID NO: 3, SEQ ID NO: 4, SEQ ID NO: 5, SEQ ID NO: 6, SEQ ID NO: 7, SEQ ID NO: 8, SEQ ID NO: 9 or SEQ ID NO: 27. Support is in the specification on page 3, second paragraph and claim 6 as filed.

Claim 18 has been added to recite a method according to claim 6 wherein said nucleic acid consists of at least 200 nucleotide residues of a sequence that is at least 90% identical when aligned with a sequence selected from: SEQ ID NO: 1, SEQ ID NO: 2, SEQ ID NO: 3, SEQ ID NO: 4, SEQ ID NO: 5, SEQ ID NO: 6, SEQ ID NO: 7, SEQ ID NO: 8, SEQ ID NO: 9 or SEQ ID NO: 27. Support is in the specification on page 3, third paragraph, and claim 6 as filed.

Claim 19 has been added to recite a method according to claim 6 wherein said nucleic acid consists of SEQ ID NO: 7, SEQ ID NO: 9 or SEQ ID NO: 27. Support is in the specification on page 3, fourth paragraph, and claim 6 as filed.

No new matter has been added by this amendment.

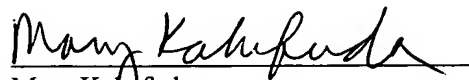
### **Restriction Requirement**

In the Office Action mailed July 14, 2004, the claims were restricted into 11 groups. Accordingly, Applicants hereby elect the claims of group X (claims 1-2, 4-7, and 13-16 and SEQ ID NO:27), without traversal.

Applicants retain the right to petition from the restriction requirement under 37 C.F.R. § 1.144.

Applicants respectfully request that the above-made amendment and remarks be entered and made of record in the file history of the present application.

Respectfully submitted,



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